



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

September 2, 2019

ASSISTANT ADMINISTRATOR
FOR ENFORCEMENT AND
COMPLIANCE ASSURANCE

Myra C. Reece
Director of Environmental Affairs
S.C. Dept. of Health & Environmental Control
2600 Bull Street
Columbia, South Carolina 29201-1797

RE: No Action Assurance for the Loading of Tank Fuel Trucks at Petroleum Distribution Terminals in South Carolina Related to Hurricane Dorian

Dear Ms. Reece:

This letter is in response to the need for a No Action Assurance (NAA) to facilitate the distribution of fuel to the areas of South Carolina impacted by mandatory evacuations associated with Hurricane Dorian. Specifically, because the shipment to some areas of critically needed fuel supplies has been, or is likely to be, dramatically impeded by the evacuation process and because damage to infrastructure and flooding is imminent, it is necessary to ensure the availability of tanker trucks in order to distribute fuel to these areas. I understand that because of the large number of tanker trucks that will be needed to provide an adequate supply of fuel to these areas, some tanker trucks may not be registered with distribution terminals as having completed all of the requisite testing for tank tightness and have the documentation to prove it as required by the Clean Air Act's New Source Performance Standards (NSPS), the National Emissions Standards for Hazardous Air Pollutants (NESHAP), and any counterpart in the South Carolina State Implementation Plan (SIP).

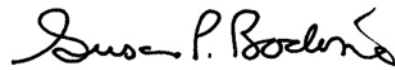
The need for this request is to address severe fuel distribution disruptions resulting from Hurricane Dorian and its impact on fuel distribution systems in South Carolina. In light of this emergency situation, EPA will exercise its discretion not to pursue enforcement for violations of the tank tightness and documentation requirements of 40 C.F.R. Part 60, Subpart XX, 40 C.F.R. Part 63, Subpart R, and any counterpart in the South Carolina SIP. This NAA is in effect commencing September 2, 2019, and terminates September 15, 2019, at 11:59 PM EDT. EPA reserves the right to revoke or modify the NAA if the EPA believes that such action is necessary to protect public health and the environment. This NAA does not apply to any other federal requirements that may apply to regulated activities other than those listed above.

As a condition of this no action assurance, tank truck owners and operators shall ensure that all trucks meet all other relevant Federal and state safety standards. Nothing in this NAA is intended to override state or local authorities.

The issuance of an NAA for this period of time is in the public interest. Through today's NAA, the EPA is continuing its commitment to address the potential emergencies caused by Hurricane Dorian.

If you have any questions about this NAA, please contact Phillip A. Brooks, at 202-564-0652 or brooks.phillip@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Susan P. Bodine". The signature is written in a cursive style with a large, stylized initial "S".

Susan Parker Bodine

cc: Mary S. Walker, Regional Administrator, EPA Region 4